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PTO/SB/21 (02-04)

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/647,268 |
| | Filing Date | August 20, 2003 |
| | First Named Inventor | Teruko Osumi et al. |
| | Art Unit | 1638 |
| | Examiner Name | Medina Ahmed Ibrahim |
| | Attorney Docket Number | 0155.02 |
| Total Number of Pages in This Submission | 3 | |

| ENCLOSURES (Check all that apply) | | |
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks These papers are being filed in response to the US Patent and Trademarks Restriction Requirement dated February 10, 2005. | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---------------------------|
| Firm or Individual name | Margaret A. Connor |
| Signature | <i>Margaret A. Connor</i> |
| Date | March 10, 2005 |

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Appl. No. 10/647,268
Response Dated March 10, 2005
Reply to Restriction Requirement dated 02/10/2005

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| | | | |
|--------------|---|----------------------|-----------------------|
| Appl. No. | : | 10/647,268 | Confirmation No. 2068 |
| Applicant | : | Teruko Osumi et al. | |
| Filed: | : | August 20, 2003 | |
| TC/A.U. | : | 1638 | |
| Examiner | : | Medina Ahmed Ibrahim | |
| Docket No. | : | 0155.02 | |
| Customer No. | : | 25278 | |

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Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Restriction Requirement dated February 10, 2005.

Applicants hereby provisionally elect without traverse Group I. Claims 1-9 and 11-15, drawn to an isolated nucleic acid molecule encoding a disease resistance polypeptide, plant, and a plant transformation method, classified in class 800, subclass 279, for example.

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Response Dated March 10, 2005
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PATENT

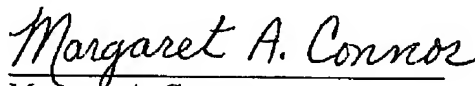
REMARKS

The Examiner has restricted the above-named application as follows:

- I. Claims 1-9 and 11-15, drawn to an isolated nucleic acid molecule encoding a disease resistance polypeptide, plant, and a plant transformation method, classified in class 800, subclass 279, for example.
- II. Claim 10, drawn to an isolated polypeptide, classified in class 530, subclass 370, for example.

Applicants hereby provisionally elect Group I, and expressly reserve the right to file continuation or divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claim. Without expressing agreement with the remarks of the Examiner in the Restriction Requirement, applicants elect Group I without traverse.

Respectfully Submitted,



Margaret A. Connor
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Enclosure:
Form PTO SB 21